

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<p>In re Application of</p> <p>James Andya et al.</p> <p>Serial No.: not yet assigned</p> <p>Filed: November 2, 2000</p> <p>For: PROTEIN FORMULATION</p>	<p>Group Art Unit: not yet assigned</p> <p>Examiner: not yet assigned</p> <div data-bbox="812 483 1412 735"> <p>CERTIFICATE OF MAILING</p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231.</p> <p>Express Mail Label No: EL 599 584 309 US</p> <p>November 2, 2000</p> <p><i>Ann Savelli</i></p> <p>Ann Savelli</p> </div>
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JC922 U.S. PTO
09/705457
11/02/00

PETITION AND STATEMENT TO CORRECT INVENTORSHIP UNDER 37 C.F.R. §1.48(b)

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

This petition to correct inventorship is being made pursuant to 37 CFR §1.48(b).

Deletion of the following originally named inventors: Jeffrey L. Cleland, Xanthe M. Lam, David E. Overcasier and Janet Yu-Feng Yang is hereby requested. The above named inventors' invention is no longer being claimed in the application as amended.

Upon acceptance of this Petition to correct inventorship, the correct inventors of the amended application are: James Andya, Chung C. Hsu, Steven J. Shire and Sylvia Sau-Yan Wu.

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$130.00 to cover the fees for this Petition required as set forth in 37 CFR 1.17(i), and to charge the deposit account for any further fees in regard to this patent application. A duplicate copy of this Petition is enclosed for this purpose.

Respectfully submitted,
GENENTECH, INC.

Date: 11-2-00

By: *Wendy M. Lee*
Wendy M. Lee
Reg. No. 40,378

1 DNA Way
So. San Francisco, CA 94080-4990
Phone: (650) 225-1994
Fax: (650) 952-9881

**COMBINED DECLARATION FOR PATENT APPLICATION
AND POWER OF ATTORNEY**

COPY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

PROTEIN FORMULATION

the specification of which was filed on March 14, 1996 as Application Serial No. 08/615,369.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate have a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

Priority Claimed
Yes No

Number	Country	Day/Month/Year Filed
I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional applications(s) listed below:		
Application Ser. No.	Filing Date	
I hereby claim the benefit under Title 35, United States Code, §120 of any United States applications(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:		
Application Ser. No.	Filing Date	Status: Patented, Pending, Abandoned
Application Ser. No.	Filing Date	Status: Patented, Pending, Abandoned

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Walter E. Buting - Reg. No. 23,092	Jeffrey S. Kubinec - Reg. No. 36,575
Ginger R. Dreger - Reg. No. 33,055	Stephen Raines - Reg. No. 25,912
Richard B. Love - Reg. No. 34,659	Janet E. Hasak - Reg. No. 28,616
Diane L. Marschang - Reg. No. 35,600	Sean A. Johnston - Reg. No. 35,910
Daryl B. Winter - Reg. No. 32,637	Dennis G. Kleid - Reg. No. 32,037
Timothy E. Torchia - Reg. No. 36,700	Wendy M. Lee *

* A copy of a document pursuant to 37 C.F.R. § 10.9(b) is attached as proof of the authorization of the undersigned to prosecute the above-mentioned application. The original of this document is on file in the Office of Enrollment and Discipline.

Send correspondence to Genentech, Inc.

Attn: Wendy M. Lee
460 Point San Bruno Boulevard
South San Francisco, CA 94080
Telephone: (415) 225-1994

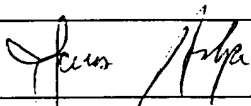
I hereby declare that all statements made herein of my own knowledge and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from his foreign patent agent as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

Full name of sole or first inventor

James Andya

Inventor's signature



Date

5-8-96

Residence

227 Richmond Drive, Apt. D, Millbrae, California 94030

Citizenship

United States of America

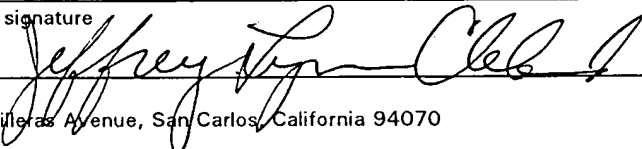
Post Office Address

460 Point San Bruno Boulevard
South San Francisco, CA 94080

Full name of second joint inventor, if any

Jeffrey L. Cleland

Inventor's signature



Date

5/9/96

Residence

844 Cordillera Avenue, San Carlos, California 94070

Citizenship

United States of America

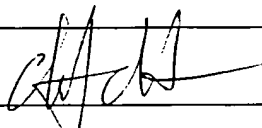
Post Office Address

460 Point San Bruno Boulevard
South San Francisco, CA 94080

Full name of third joint inventor, if any

Chung C. Hsu

Inventor's signature



Date

5-8-96

Residence

13120 Delson Court, Los Altos Hills, California 94022

Citizenship

United States of America

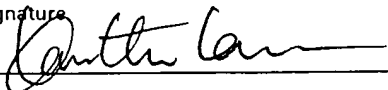
Post Office Address

460 Point San Bruno Boulevard
South San Francisco, CA 94080

Full name of fourth joint inventor, if any

Xanthe M. Lam

Inventor's signature



Date

5/8/96

Residence

280 Denslowe Drive, San Francisco, California 94132

Citizenship

United States of America

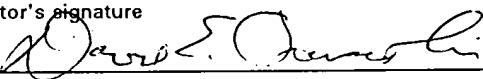
Post Office Address

460 Point San Bruno Boulevard
South San Francisco, CA 94080

Full name of fifth joint inventor, if any

David E. Overcashier

Inventor's signature



Date

5/8/96

Residence

130 Vallejo Street, El Granada, California 94018

Citizenship

United States of America

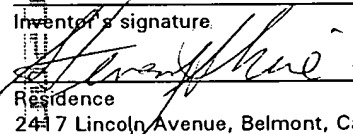
Post Office Address

460 Point San Bruno Boulevard
South San Francisco, CA 94080

Full name of sixth joint inventor, if any

Steven J. Shire

Inventor's signature



Date

5/8/96

Residence

2447 Lincoln Avenue, Belmont, California 94002

Citizenship

United States of America

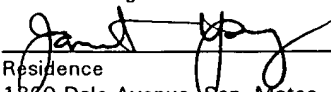
Post Office Address

460 Point San Bruno Boulevard
South San Francisco, CA 94080

Full name of seventh joint inventor, if any

Janet Yu-Feng Yang

Inventor's signature



Date

5/8/96

Residence

1860 Dale Avenue, San Mateo, California 94401

Citizenship

United States of America

Post Office Address

460 Point San Bruno Boulevard
South San Francisco, CA 94080

Full name of eighth joint inventor, if any

Sylvia Sau-Yan Wu

Inventor's signature

Date _____

5/8/96

Residence

1438 Filbert Street, #203, San Francisco, California 94109

Citizenship

Canadian

Post Office Address

460 Point San Bruno Boulevard
South San Francisco, CA 94080

THE